

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

JANICE R. SCHONEWOLF, as Administrator
of the Estate of William Harry Schonewolf, III,

Plaintiff,

v.

WASTE MANAGEMENT, INC.,

Defendant.

CIVIL ACTION

No. 17-3745

ORDER

AND NOW, this 19th day of March, 2018, upon consideration of Defendant Waste Management, Inc.'s ("Waste Management") Motion for Partial Dismissal of Plaintiff's Complaint, Plaintiff Janice R. Schonewolf's ("Schonewolf"), as Administrator of the Estate of William Harry Schonewolf, III, Memorandum of Law in Opposition, and Waste Management's Reply Memorandum, it is hereby **ORDERED** that Waste Management's Motion (Doc. No. 13) is **GRANTED IN PART AND DENIED IN PART**. It is **FURTHER ORDERED** that:

1. Waste Management's Motion is **GRANTED** to the extent it seeks dismissal of liquidated and punitive damages under the ADA and ADEA. Accordingly, Schonewolf's claims for liquidated and punitive damages in Counts III, IV, V, and VI of the Complaint are **DISMISSED WITH PREJUDICE**;
2. Waste Management's Motion is **DENIED** in all other respects; and
3. the Clerk of Court shall **LIFT** the stay and return this action to the active docket.

BY THE COURT:

/s/ Robert F. Kelly
ROBERT F. KELLY
SENIOR JUDGE